

Release
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SUMMARY OF CASES ACCEPTED DURING THE WEEK OF JANUARY 11, 1998

[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The description or descriptions set out below do not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#99-1 People v. Abeyta, S074361. (B117967.) Unpublished opinion. Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense. This case presents an issue, concerning whether copies of documents of uncertain origin which were submitted to the Department of Justice can be used to prove a prior conviction charged as a strike, which is related to an issue before the court in People v. Martinez, S062266. (See #97-134.)

#99-2 Hondo Co. v. Superior Court, S074768. (B121129; 67 Cal.App.4th 176, mod. 67 Cal.App.4th 730f.) Petition for review after the Court of Appeal granted a petition for peremptory writ of mandate. This case presents an issue, concerning whether Proposition 132 applies to limit a wrongful death action by the heirs of an uninsured driver, which is related to an issue before the court in Horwich v. Superior Court, S073129. (See #98-139.)

#99-3 In re Jorge M., S074270. (B108677; 66 Cal.App.4th 809.) Petition for review after the Court of Appeal affirmed in part and reversed in part orders of

a juvenile court. This case concerns whether it is an element of the crime of possession of an assault weapon that the defendant know that weapon possesses the characteristics of an assault weapon. (See Pen. Code, §§ 12276, 12280(b).)

#99-4 Richmond v. A.P. Green Industries, Inc., S062813. (A071729; 66 Cal.App.4th 878.) Petition for review after the Court of Appeal affirmed the judgment in a civil action. This case presents an issue, concerning whether a plaintiff's action for personal injury arising from mesothelioma is barred by the statute of limitations when the plaintiff had filed an earlier action for personal injuries from asbestosis, which is related to an issue before the court in Mitchell v. Asbestos Corp., S069596. (See #98-76.)

#99-5 Shahhal v. Medical Board, S075141. (D031407.) No opinion. Petition for review after the Court of Appeal dismissed an appeal from an order denying a petition for administrative mandate. This case presents an issue, concerning whether the Legislature may limit review of a superior court judgment upholding the administrative revocation of a medical license to review in the Court of Appeal by extraordinary writ, which is related to an issue before the court in Leone v. Medical Board, S065485. (#97-201.)

DISPOSITION

#98-148 Los Carneros Community Associates, Inc. v. Penfield & Smith Engineers, Inc., S072581, was dismissed and remanded to the Court of Appeal.